

## MINUTES

### CITY COUNCIL MEETING

**FEBRUARY 10, 2004**

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:34 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

#### **PLEDGE OF ALLEGIANCE**

MAYOR MITCHELL led the assembly in the Pledge of Allegiance to the Flag.

#### **ROLL CALL**

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard

Assistant City Attorney Pfahler

Assistant City Manager Sam Wise

Planning Director David Wahba

Community Services Director Andy Clark

Finance Director Jud Norrell

Administrative Analyst Greg Grammer

Others Present: Steve Pekich, Park and Activities Commissioner

Judith Bayer, Planning Commissioner

#### **CEREMONIAL ITEMS**

NONE

#### **ROUTINE MATTERS**

##### **A. CITY COUNCIL MINUTES OF JANUARY 27, 2004**

COUNCILMAN ZERUNYAN requested the following correction on Page 1 under Roll Call:

*"City Council Members Present: Mitchell, ~~Rauch~~, Seamans, **Zerunyan**, Zuckerman"*

COUNCILMAN ZERUNYAN requested the following correction on Page 4, Paragraph 7:

*"~~COUNCILMAN ZUCKERMAN~~ **ZERUNYAN** inquired if there is criteria for this type of request."*

COUNCILWOMAN SEAMANS requested the following correction on Page 4, Paragraph 2:

*"~~NOTING COUNCILWOMAN SEAMANS' OBJECTION,~~ **THERE BEING NO OBJECTION,** MAYOR MITCHELL SO ORDERED."*

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE CITY COUNCIL MINUTES OF JANUARY 27, 2004 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

**B. DEMANDS AND WARRANTS – MONTHS OF JANUARY AND FEBRUARY**

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE Warrants 34986 through 35026 in the amount of \$73,575.70; Supplemental Warrants 010401 through 010403; 34830 through 34844; 34903 through 34906; 34907 Void; 34908 through 34913; 34974 through 34979 in the amount of \$299,374.66 for a total amount of \$372,950.36 with proper audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

**CONSENT CALENDAR**

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ITEMS A-E.

**A. READING OF ORDINANCES AND RESOLUTIONS**

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

RECEIVED AND FILED.

**B. CRENSHAW BOULEVARD UNDERGROUND UTILITY PROJECT**

Recommendation: That the City Council receive and file this report.

RECEIVED AND FILED.

**C. QUARTERLY CODE ENFORCEMENT REPORT**

Recommendation: That the City Council receive and file this report.

**D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 23, 2004**

RECEIVED AND FILED.

**E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 30, 2004**

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

**AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS**

**A. CALIFORNIA WATER SERVICE COMPANY PRESENTATION**

Terry T. Tamble, District Manager, California Water Service, provided an overview of a Water System Master Plan designed to increase reliability of the water system, replace aging pipelines, and increase supply to meet future demands on the Peninsula.

Jim Simvnovich, Manager of Operations, California Water Service, reviewed the proposed project goals, process, key findings, storage, and recommendations that would impact the City.

Mr. Tamble thanked COUNCILWOMAN SEAMANS, COUNCILMAN ZUCKERMAN, and staff for their involvement in moving this project forward. He noted that construction could begin as soon as the summer of 2005.

COUNCILMAN ZERUNYAN inquired as to the estimated time of completion. Mr. Tamble indicated that it could take up to 18 months on the first phase depending on restrictions the City wished to impose regarding hours worked, traffic, etc.

Keith Campbell, Boyle Engineering, noted the primary concern is disruption of traffic along Palos Verdes Drive North. He then explained how the pipelines are arranged throughout this area and went through various scenarios of how traffic impacts would be mitigated.

MAYOR PRO TEM ADDLEMAN inquired as to the total cost to the public. Mr. Tamble stated that it would depend on the length of the project.

MAYOR PRO TEM ADDLEMAN noted his concern that, if the City owned park at Crenshaw Boulevard and Silver Spur Road were to be impacted, this site must be brought back to its original condition.

Discussion ensued regarding cost where it was noted by Mr. Tamble that, since this is a customer driven project, there would be an increase of up to \$350 annually for each customer.

After extensive discussion, it was the consensus of the COUNCIL to defer this matter to the Policy Development Session.

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At 8:38 p.m., MAYOR MITCHELL called for a brief recess.

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At 8:42 p.m., the CITY COUNCIL reconvened with MAYOR MITCHELL, MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

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## **AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS**

***(Continued)***

B. Scott Gobble, General Manager, Southern California Edison, was pleased to report officially that the previously abandoned project to underground utilities along Palos Verdes Drive North might be able to move forward. He indicated that changes in balances and policies as they pertain to Rule 20A funding makes the previously required City General Fund contribution of approximately \$300,000 no longer required. He also saw potential to coordinate this project with the California Water Service project.

Due to additional information that needs to be addressed, such as the number of crossings on Palos Verdes Drive North, it was the consensus of the COUNCIL to defer this matter to the Policy Development Session.

C. Donna Tarr, Pacific Alliance for Conservation and the Environment (PACE), announced that this organization is dedicated to promoting public health and safety by protecting the environment and increasing public awareness of environmental issues. She noted that they have chosen the Palos Verdes Landfill as their first major project and will be hosting a benefit on Sunday, March 28, 2004 and to contact (310) 791-2647 for further information.

## **PUBLIC HEARINGS/MEETINGS**

NONE

**NEW BUSINESS**

A. PLANNING COMMISSION MINUTES OF FEBRUARY 2, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF FEBRUARY 2, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 3, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 3, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

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ADJOURNED to the Pepper Tree Foundation Corporation Meeting

AT 8:50 P.M.

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C. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF FEBRUARY 3, 2004

Recommendation: That the Pepper Tree Foundation Board of Directors approve the draft agreement with Educational Sponsorship Partners to provide fundraising promotional and consulting services for the 2004 Hills Are Alive Race.

Community Services Director Clark provided a staff report (as per agenda material).

COUNCILMAN ZUCKERMAN recommended inserting the following language under Section 4. FEES: *".....shall include all RACE expenses, overtime personnel costs, and SUPPLIER'S advance management fee, which **such reimbursable costs** shall not exceed \$10,000 in the aggregate."*

COUNCILMAN ZUCKERMAN then thanked Park and Activities Commissioners Pekich and Persichina for their assistance in reaching a mutual agreement.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE AGREEMENT, AS AMENDED, WITH EDUCATIONAL SPONSORSHIP PARTNERS, SUBJECT TO CITY ATTORNEY REVIEW AND APPROVAL.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

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RECONVENED CITY COUNCIL MEETING AT 8:55 P.M.

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D. RESOLUTION IN SUPPORT OF PROPOSITIONS 57 AND 58

Recommendation: That the City Council approve Resolution No. 2038 supporting passage of Propositions 57 and 58 on March 2, 2004.

Administrative Analyst Grammer provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN expressed his desire to provide an outreach to educate the community at-large as to past failings of the State with respect to local government finances. He noted his willingness to participate in speaking to other cities' representatives as well.

COUNCILMAN ZUCKERMAN then commented on his reluctance to support this resolution as he believed it is not the City's place to endorse or oppose issues upon which the electorate has a direct vote. He stated his belief that fiscal impacts might be higher if they are passed and that it was disingenuous to even have these initiatives proposed at this late date.

MAYOR MITCHELL noted that the City has taken many positions in the past on legislative and ballot issues.

Discussion ensued with COUNCILMAN ZERUNYAN inquiring if the League of California Cities supports these propositions. Administrative Analyst Grammer indicated that the State League of California Cities had endorsed both propositions. COUNCILMAN ZERUNYAN reiterated his position to vote in favor of Propositions 57 and 58.

COUNCILWOMAN SEAMANS concurred with COUNCILMAN ZUCKERMAN believing that these initiatives do not guarantee cities would benefit from their passage.

MAYOR PRO TEM ADDLEMAN commented that without passage of these propositions, the State credit rating would be reduced to junk bond status and noted his opinion that passing these propositions would be a step in the right direction.

MAYOR MITCHELL noted she was in Sacramento in January and discussed these issues with many legislators. She stated that it is imperative these measures get passed otherwise the State will be in a dire financial situation. Additionally, she stated that while this does not ensure funds for cities, it does ensure that the State's bond rating does not fall to junk bond status and would support adoption of the resolution supporting these initiatives.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO ADOPT RESOLUTION NO. 2038.

*City Manager Prichard read Resolution No. 2038 by title only.*

AYES: Addleman, Mitchell, Zerunyan

NOES: Seamans, Zuckerman

Discussion continued regarding the appropriate advocacy or educational role the City might take on these initiatives.

City Manager Prichard indicated that the League of Women Voters will hold its own forum and has taken a position of support on Propositions 55 and 56, but not on 57 and 58. He noted that the City's concern is more in line with 57 and 58.

Further discussion ensued with COUNCILWOMAN SEAMANS inquiring if a position should be taken on Proposition 56 as well. City Manager Prichard indicated that a report would be brought back to COUNCIL on this proposition.

COUNCILMAN ZERUNYAN noted he would take it upon himself to encourage support of 57 and 58.

MAYOR MITCHELL then recommended that individual COUNCIL MEMBERS advocate their position individually.

Assistant City Attorney Pfahler cautioned the COUNCIL that no public resources or expenditures may be utilized for this effort.

It was the consensus of the COUNCIL to follow this recommendation and allow individual COUNCIL MEMBERS to act on their own behalf.

**E. FISCAL YEAR 2003-04 MID-YEAR BUDGET REVIEW**

Recommendation: That the City Council: 1) Receive and file the Fiscal Year 2003-04 Mid-Year Budget Report; and 2) Defer discussion of policy-related budget issues until the Policy Development Session on February 25, 2004.

City Manager Prichard provided a staff report (as per agenda material).

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE FISCAL YEAR 2003-04 MID-YEAR BUDGET REPORT AND DEFER DISCUSSION OF POLICY-RELATED BUDGET ISSUES UNTIL THE POLICY DEVELOPMENT SESSION ON FEBRUARY 25, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

**OLD BUSINESS**

**A. RESULTS OF HOWLETT PARK AND CITY COUNCIL CHAMBERS ADA RESTROOM PROJECT SERVICES REQUEST FOR PROPOSALS**

Recommendation: That the City Council accept Purkiss-Rose-RSI's proposal to provide design, engineering, bid document preparation, inspection, and contract administration services to bring the Ernie Howlett Park restrooms and City Hall Council Chamber restrooms into ADA compliance at a cost of \$12,080.

Community Services Director Clark provided a staff report (as per agenda material).

MAYOR MITCHELL inquired as to the definition of "construction contract administration." Community Services Director Clark noted he will investigate this further. Additionally, City Manager Prichard indicated this contract will be brought back for COUNCIL review and approval.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO ACCEPT Purkiss-Rose-RSI's proposal to provide design, engineering, bid document preparation, inspection, and contract administration services to bring the Ernie Howlett Park restrooms and City Hall Council Chamber restrooms into ADA compliance at a cost of \$12,080 WITH THE CONTRACT BEING BROUGHT BACK FOR COUNCIL REVIEW AND APPROVAL.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

**B. SOUTH COAST COUNTY GOLF COURSE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR); APPLICANT: COUNTY OF LOS ANGELES DEPARTMENT OF PARKS AND RECREATION AND MERITAGE ROLLING HILLS GOLF, LLC**

Recommendation: That the City Council review the comment letter on the DEIR for the proposed

golf course and suggest any changes or need for additional information.

Planning Director Wahba provided a staff report (as per agenda material).

MAYOR PRO TEM ADDLEMAN noted his concern with an additional 250,000 cubic feet of water daily being placed on top of the membrane. Planning Director Wahba indicated that he would make that comment more specific in the letter.

COUNCILMAN ZUCKERMAN requested clarification on No. 19 as to the 95% estimated risk value formula. He noted that he was pleased with the work Planning Director Wahba and the consultants have done and believed it to be very thorough.

Angela Houle, 44 Ranchview Road, representing the Citizens Advisory Board for the Palos Verdes Landfill, concurred with COUNCILMAN ZUCKERMAN'S comments noting her group is grateful to the City for taking this matter seriously and making the effort to obtain as much information as possible. She expressed her appreciation to Planning Director Wahba and his staff for their continued assistance. She then noted the Citizens Advisory Board will meet soon.

Christina Zimmerman, 19 Ranchview Road, President, Ranchview Homeowners' Association, also thanked the COUNCIL for their extensive efforts in taking the time to assist in ensuring the public's safety, and particularly, thanked Planning Director Wahba for including members of the community in this project. She informed the COUNCIL that the Parent-Teacher's Associations have asked each school to adopt a resolution opposing this project until they are guaranteed that there is no exposure to toxic material.

Melody Colbert, 4604 Rockbluff Drive, South Bay CARES, also conveyed appreciation to the City for taking into account their concerns as well. She noted that they are primarily focusing on health impacts as well as a monetary one that has recently come to their attention. She noted that an investigation is now taking place with respect to the surcharge fund and questioned how those funds were being utilized by the Sanitation Districts. She then requested the City investigate this further.

Dale Allen, 39 Buckskin, Park and Activities Commissioner, President, Palos Verdes Peninsula Horsemen's Association, again thanked the COUNCIL and Planning Director Wahba for their support in reviewing all issues of concern. He suggested deleting Item I, Page No. 3 as he was unsure as to why this would be included in the letter. He then noted his belief that the County is attempting to give a poor piece of property to the City which could involve potential liability issues.

MAYOR MITCHELL noted that the DEIR only addresses the Hawthorne Boulevard site for relocation of the stables, but does not include its present site for consideration. City Manager Prichard requested clarification regarding the alternative locations in the DEIR and what level of analysis is required between the primary proposal and one of the alternatives.

Planning Director Wahba noted that oftentimes an EIR does not address parking, truck deliveries, etc., and that this section should be expanded in the letter.

COUNCILMAN ZUCKERMAN suggested that the financial impact be included as it is key in the relocation of the stables.

It was the consensus of the COUNCIL to bring back the final letter for review and approval.

MAYOR MITCHELL commended the staff and consultants for an outstanding job in preparing this response.

#### **CITY ATTORNEY ITEMS**

NONE

**CITY COUNCIL/REGIONAL COMMITTEE REPORTS:** This item provides the opportunity for

Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

A. MAYOR MITCHELL

1. EQUESTRIAN COMMITTEE MINUTES OF JANUARY 26, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE EQUESTRIAN COMMITTEE MINUTES OF JANUARY 26, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. COUNCILWOMAN SEAMANS reported she attended the Holiday Parade Committee meeting where a list of suggestions were discussed for this year's parade set for December 5.

MAYOR PRO TEM ADDLEMAN noted that a letter was sent to David Benoit inviting him to be the City's Grand Marshal. Additionally, COUNCILMAN ZERUNYAN noted he received a request from the business community to set the parade time earlier so as not to interfere with their normal working hours.

- C. COUNCILWOMAN SEAMANS announced the South Bay Cities Council of Governments (SBCCOG) Annual General Assembly "Partnerships: Building Better Communities" scheduled for Thursday, February 26 from 2:30-7:30 p.m. and invited Council Members, Commissioners, Committee Members, etc., to attend. It was noted by MAYOR MITCHELL that letters had been sent to the Commissioners and Committee Members.

**MAYOR AND COUNCIL ITEMS:** This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public.

A. MAYOR MITCHELL

1. CITY PROPERTY REUSE SUBCOMMITTEE UPDATE

Recommendation: That the City Council receive and file this report and provide further direction as necessary.

Community Services Director Clark provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN noted that, on behalf of the AYSO, it is difficult to find a location for various meetings. He suggested exploring this site as a possible community room.

Community Services Director Clark indicated this matter will be discussed with the Conservation Committee.

MAYOR MITCHELL commented that even though this property is zoned OSR, it might be worthwhile to revisit a possible recreational use. She then noted she is resigning from this subcommittee and appointed COUNCILMAN ZERUNYAN to serve in her place.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THIS REPORT.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.



## **2. APPOINTMENT OF PLANNING COMMISSIONER**

Brief discussion on the high caliber of candidates to from which to choose took place.

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM

ADDLEMAN

TO APPOINT LARRY VANDEN BOS TO SERVE AS THE NEW PLANNING COMMISSIONER.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

3. MAYOR MITCHELL noted that the Butcher property at the corner of Palos Verdes Drive North and Palos Verdes Drive East will be an upcoming project and requested two COUNCIL MEMBERS serve on a subcommittee. It was noted that MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, and COUNCILMAN ZERUNYAN expressed interest in this committee. City Manager Prichard suggested deferring this item to the Policy Development Session.

4. MAYOR PRO TEM ADDLEMAN reported that he met with Supervisor Knabe on December 12 where discussion took place regarding the golf course and clarification of the stable relocation. He noted that another meeting is scheduled for February 19.

## **CLOSED SESSION**

NONE

## **ADJOURNMENT**

At 10:43 p.m., MAYOR MITCHELL formally adjourned the City Council meeting to Tuesday, February 24, 2004 at 7:30 p.m.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Manager